



Order Filed on March 23, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**McCABE, WEISBERG & CONWAY, LLC**

**By: Andrew M. Lubin, Esq. (Atty.**

**I.D.#AL0814)**

**216 Haddon Avenue, Suite 201**

**Westmont, NJ 08108**

**856-858-7080**

**Attorneys for Movant: TIAA FSB d/b/a TIAA  
Bank f/n/a EverBank**

**IN re:**

**Allen Lee Porter  
Debtor**

Case No.: 17-21149-JNP

Chapter: 13

Judge: Jerrold N. Poslusny Jr.

**ORDER ON MOTION FOR AUTHORIZATION TO  
ENTER INTO FINAL LOAN MODIFICATION AGREEMENT  
(CHAPTER 13)**

The relief set forth on the following pages, number two (2) through two (2) is hereby  
**ORDERED**

**DATED: March 23, 2023**

A handwritten signature in dark ink, appearing to be "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

**(Page 2)**

Debtor: Allen Lee Porter, Debtor

Case No: 17-21149-JNP

Caption of Order: ORDER APPROVING LOAN MODIFICATION

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The Court having reviewed the Motion for Authorization to Enter into Final Loan Modification Agreement filed on March 7, 2023, as to the first mortgage concerning real property located at 2809 Auburn CT, Mount, and the Court having considered any objections filed to such motion, it is hereby ORDERED that:

☒ The debtor is authorized to enter into the final loan modification agreement.

1) The loan modification must be fully executed no later than 14 days from the date of this order. If it is not, the secured creditor, within 14 days thereafter, must file with the Court and serve on the debtor, debtor's attorney, if any, and the standing trustee a Certification indicating why the agreement was not fully executed. A response by the debtor, if any, must be filed and served within 7 days of the filed date of the secured creditor's Certification; and

2) Upon the filing of the Certification required above, and absent a response from the debtor, the standing trustee may disburse to the secured creditor all funds held or reserved relating to its claim. Absent the filing of the Certification within the time frame set forth above, the standing trustee will disburse funds on hand to other creditors pursuant to the provisions of the confirmed Plan and any proof of claim filed in this case with respect to the mortgage is deemed modified and incorporated into the Loan Modification Agreement; and

3) Unless the debtor's Plan has been confirmed with 100% paid to unsecured creditors, the debtor must file a Modified Chapter 13 Plan and Motions within 14 days of consummation of the loan modification. If the loan modification results in material changes in the debtor's expenses, the debtor must also file amended Schedules I and J within 14 days of the date of this Order; and

4) Check one:

☒ There is no order requiring the debtor to cure post-petition arrears through the Plan; or

☐ Post-petition arrears are capitalized into the loan modification agreement, and the Order filed on \_\_\_\_\_, requiring the Standing Trustee to make payments based on the arrearage is vacated as of the date of this order; or

☐ Post-petition arrears have not been capitalized into the loan modification agreement, and the Standing Trustee will continue to make payments to the secured creditor based on the Order filed on \_\_\_\_\_; and

5) If fees and costs related to loss mitigation/loan modification are sought by the debtor's attorney, an Application for Compensation in compliance with D.N.J. LBR 2016-1 must be filed.

☐ The Motion for Authorization to Enter into Final Loan Modification Agreement is denied.

In re:  
Allen Lee Porter  
Debtor

Case No. 17-21149-JNP  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Mar 23, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 25, 2023:

| Recip ID | Recipient Name and Address  |
|----------|---|
| db       | + Allen Lee Porter, 2809B Auburn Court, Mount Laurel, NJ 08054-4236 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 25, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 23, 2023 at the address(es) listed below:

| Name                | Email Address  |
|---------------------|--|
| Alexandra T. Garcia | on behalf of Creditor EverBank NJECFMAIL@mw-c-law.com nj-ecfmail@ecf.courtdrive.com                                  |
| Alexandra T. Garcia | on behalf of Creditor TIAA FSB dba Everbank NJECFMAIL@mw-c-law.com, nj-ecfmail@ecf.courtdrive.com                    |
| Alexandra T. Garcia | on behalf of Creditor TIAA FSB d/b/a TIAA Bank, f/n/a EverBank NJECFMAIL@mw-c-law.com, nj-ecfmail@ecf.courtdrive.com |
| Andrew B. Finberg   | on behalf of Debtor Allen Lee Porter andy@sjbankruptcyllaw.com abfecf@gmail.com;finbergar39848@notify.bestcase.com   |
| Andrew M. Lubin     | on behalf of Creditor TIAA FSB d/b/a TIAA Bank, f/n/a EverBank nj-ecfmail@mw-c-law.com, alubin@milsteadlaw.com       |
| Andrew M. Lubin     |  |

District/off: 0312-1

User: admin

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Date Rcvd: Mar 23, 2023

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor TIAA FSB d/b/a TIAA Bank f/k/a EverBank nj-ecfmail@mw-c-law.com, alubin@milsteadlaw.com

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Marisa Myers Cohen

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TOTAL: 20